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09/982,954	10/22/2001	Gurtej Sandhu	M4065.0353/P353-A	8784	
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DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			EXAMINER		
2101 L STRE WASHINGTO	ET NW ON, DC 20037-1526		MOORE, KARLA A		
			ART UNIT	PAPER NUMBER	
			1763	9	
			DATE MAILED: 06/09/2003	/ -	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Application N			·	<u> </u>				
Examiner Karla Moore -The MAILING DATE of this communication appears on the c ver sheet with the correspondence address - THE REPLY FILED 22 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a inal rejection under 37 CPR 1.13 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal feet); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CPR 1.13 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal feet); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CPR 1.13(a). The period for reply expires 3 months from the mailing date of the final rejection, or this form the period for reply expires 3 months from the mailing date of the Advisory Action, or this form the mail rejection, whichever is later. DILY CHECK THIS BOX WHEN THE FIRST REPLY WAS PILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 75.5770. Experiments of time may be obtained under 37 CPR 1.13(a), The date on which the petition under 37 CPR 1.13(a) and the appropriate extensions are under 37 CPR 1.17(a) is calculated from: (1) the expiration date of the shortened situatory period for reply originally set in the final Critice action; or CPR 1.17(a) is calculated from: (1) the expiration date of the shortened situatory period for reply originally set in the final Critice action; or CPR 1.13(a), or any extension thereof (37 CPR 1.704(b). A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CPR 1.192(a), or any extension thereof (37 CPR 1.194(d)), to avoid dismissal of the appeal. The proposed amendment(s) will not be entered because: The proposed amendment(s) will not be entered because: Appelican	4	Application N .	Applicant(s)	,				
Examiner Karla Moore 1763	Advisory Action	09/982,954	SANDHU ET AL.					
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Continuation of 10. Other:

In response to Applicant's arguments,

- 1. The two showerheads, 136 and 138, indicate two different processing regions. While the prior art does not use the exact same language as the present Application, one of ordinary skill in the art would recognie with two separate showerheads, two processing can b formed with each region capable of a different process.
- 2. Admittedly, McInerney describes his apparatus as capable of processing using two incompatible gases. However, this would not preclude one from using two gases that are "compatible". There are no teachings that teach against using two "compatible gases". Further, McInerney teaches that his apparatus is capable of processing "incompatible" gases because the apparatus comprises means fo separating the adjacent processing regions. This is also the concern of the present application. Therefore one would be inclinded to look to McInerney for separation means, contrary to Applicant's argument.
- 3. Applicant argues that because using multiple processing chambers increases throughput, one would not be inclined to use the apparatus of McInerney for diffusion, as claimed. One of ordinary skill in the art would recognize that throughput is not the only paramete to be maximized in processing apparatus such as McInerney and the present invention. One of ordinary skill in the art would also consider other parameters such as quality of the substrate produced and would aim for a balance between these two parameters in substrate processing. In some case, multiple processing chambers are necessary, as is well known in the art.
- 4. At column 8, rows 36-46, McInerney teaches that the inert gas curtain does in fact assist in maintaining separation of reaction gases, contrary to Applicant's interpretation of the reference.
- 5. As noted in the previous office action, Fong teaches transferring a substrate to a separate processing region to drive in dopants at column 41, row 61 through column 42, line 12. Fong teaches that there are alternatives for the processing step of driving in dopants. On of them is tranferring a substrate to a different region.
- 6. Applicant further argues that Gattuso is not combinable because of it's teaching that "a significant amount of inert gas within the chamber can interfere with the deposition process". The gas curtain of McInerney is supplied between each of the stations. It only "interacts"or "interferes" to the extent that it separates any gas that may have migrated out of a station. It does not interfere with the deposition process. Additionally, McInerney fails to teach that a "significant" amount of gas must be used to form the inert gas curtain.
- 7. Applicant also argues that providing an inert gas curtain at a higher pressure than the reaction gases in McInerney would annul the pressure gradient of the vertically flowing reaction gases and prohibit the gases from being exhausted through the exhaust pot. Again, Examiner disagrees, an inert gas curtain is provided at a location adjacent to the reaction gases to effect separation, the inert gas curtain does not interfere with the vertical pressure gradient formed by downwardly flowing reaction gases it was meant to separate.
- 8. Applicant's argument with respect to the use of a "non-reactive" gas vsersus a "reactive" gas versus an "incopmpatible" gas are based on an intended use. The apparatus of McInerney is not structurally different as mentioned in the previous office action.
- 9. With respect to Applicant's argument that Hartig is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See In re Oetiker, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, similar to McInerney and Gattuso, Hartig is a multiple station processing apparatus, concerned with separation of adjacent stations and the processing gases contained therein. With respect to Applicant's argument that McInerney teaches away from separate exhaust ports, Examiner disagrees. Admittedly, McInerney does not teach separate exhaust ports. However, "not teaching" a feature is not the same as "teaching away" from a feature. McInerney provides no reason why providing separate exhaust ports would ruin the invention.